

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

UNILOC USA INC. and UNILOC LUXEMBOURG SA.,	§ § § §
Plaintiffs,	§ § § §
v.	§ Civil Action Nos. 3:18-CV-00557-N § 3:18-CV-00559-N § 3:18-CV-00560-N § 3:18-CV-00561-N §
LG ELECTRONICS U.S.A., INC. LG ELECTRONICS INC., and LG ELECTRONICS MOBILECOMM U.S.A. INC.,	§ § § § § § §
Defendants.	§

ORDER

This Order addresses Defendants' combined motion to transfer venue to the Northern District of California (NDCA) [35].¹ For the reasons below, the Court grants LG's motion.

This district recently granted a motion to transfer seven similar cases brought by Plaintiffs against LG. *Uniloc U.S.A. Inc. v. LG Elecs. U.S.A., Inc.*, 4:17-CV-825-O (W.D. Tex. May 14, 2018) (O'Connor, J.). Much like in those cases, because the parties here do not dispute that the case could have been brought in NDCA, the Court is tasked with weighing certain private and public factors before ruling on LG's motion to transfer. *Id.* (citing *In re Volkswagen of Am., Inc.*, 545 F.3d 304, 312 (5th Cir. 2008) (en banc)). The

¹ The following are the docket numbers for the motions to transfer in the above-numbered cases: Civil Action No. 3:18-cv-557, [35]; Civil Action No. 3:18-cv-559, [35]; Civil Action No. 3:18-cv-560, [32]; and Civil Action No. 3:18-cv-561, [35].

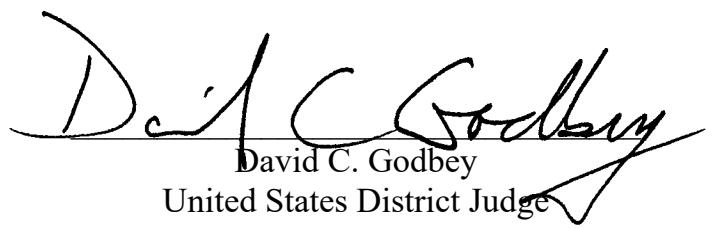
Court finds Judge O'Connor's analysis of these factors to be wholly applicable, with two (ultimately trivial) exceptions.

The first concerns the private factor regarding the relative ease of access to sources of proof. Previously, Uniloc argued that this factor weighed against transfer because the documents LG sought in NDCA were irrelevant and unimportant. *Id.* at 7. Here, it has employed a different strategy: arguing that the factor cuts against transferring because relevant documents are spread across San Francisco, Santa Clara, San Diego, New Jersey, Plano, and Europe. Pls.' Opp'n to Defs.' Combined Mot. to Transfer to the N. Dist. of CA, 10 [39]. Uniloc fails, however, to persuasively confront LG's evidence suggesting that a greater volume of relevant documents are in or near NDCA. LG Defs.' Reply, 5-6 [43]. Thus, the Court holds this factor still tilts heavily in favor of transfer.

The second variation regards judicial economy. Part of what swayed Judge O'Connor on this factor was that the patents in dispute were the same as those disputed in a case in NDCA. *Uniloc*, 4:17-CV-825-O at *10. Even though the patents here are not the same, transferring would still serve judicial economy because the technology and products at issue in the cases are still the same, and the bulk of relevant evidence in this case lies in or near to NDCA. Accordingly, the Court finds judicial economy to weigh in favor of transferring.

Thus, neither of the differences between this motion and the one decided by Judge O'Connor suggest this Court should reach a different outcome. The Court accordingly grants LG's motion, and transfers the above numbered cases to the Northern District of California pursuant to 28 U.S.C. § 1404(a).

Signed November 5, 2018.



The image shows a handwritten signature in black ink. The signature reads "David C. Godbey". Below the signature, the name "David C. Godbey" is printed in a standard black font. Underneath that, the title "United States District Judge" is also printed in a standard black font.

David C. Godbey
United States District Judge